

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-5, 8-16, and 20 are currently pending in the present application, Claims 8 and 21 having been canceled without prejudice or disclaimer by way of the present amendment, and Claims 1, 15, and 20 having been amended. No new matter has been added.¹

In the outstanding Office Action, Claim 21 was rejected under 35 U.S.C. § 112, first paragraph; Claims 1-6, 8-12, 14-16, and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Snook (U.S. Pat. No. 6,400,378, hereinafter “Snook”) in view of Dufaux (U.S. Pat. No. 6,711,587, hereinafter “Dufaux”); and Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over Snook in view of Dufaux and in further view of Trivedi, et al. (U.S. Pat. Pub. No. 2006/0187305, hereinafter “Trivedi”).

As an initial matter, Applicants and Applicants’ representatives thank Examiner Hanne for the courtesy of an interview granted on July 21, 2009. During the interview, differences between the claimed invention and the Dufaux and Snook references were discussed in detail, as substantially summarized hereinafter. The substance of the amendments discussed are now presently filed. Given the understanding seemingly reached during the interview, Claims 1-5, 8-16, and 20 as filed are believed to overcome the rejection under 35 U.S.C. § 103(a). Examiner Hanne agreed to reconsider the rejection of record after formal submission of the present amendment.

Claim 1 recites, *inter alia*, a media handling system in which candidate video sequences are displayed on a display screen in schematic form for selection by a user, the system comprising:

¹ Claims 1, 15, and 20 are amended to incorporate the subject matter of original Claim 8. Further amendment to Claims 1, 15, and 20 is found at page 30, line 4, to page 31, line 10 of Applicants’ specification.

detecting means for...weighting at least some of the detected probability levels depending on the size of the detected face, each one of the weighted probability levels corresponds with a respective face size stored in a look-up table; and

a display screen configured to display at least one representation of the candidate video sequences for selection by the user, each representation...including one or more images representing human faces...having the highest weighted probability levels amongst the respective video sequences, wherein

the detector means weights the probability levels based on the correspondence between each one of the weighted probability levels and the respective face sizes as defined by the look-up table, such that detected faces closer in size to a preferred representation size are presented to the user for selection thereof as the displayed representation of the candidate video sequence.

The claimed media handling system provides representations of the candidate video sequences for selection by a user in which the faces are more likely to be easily recognized by the user. Further, the claimed media handling system has an advantage that thumbnails can be selected from images in which faces are close to a desired size. For example, as discussed at page 30, lines 3-11, of Applicants' specification, this advantageously improves the quality of the picture stamps (representations of the candidate video sequences) because faces which are as close as possible to a desired size (for example 64x64 pixels) are less likely to need rescaling. Therefore, any artifacts due to rescaling are reduced, thus improving picture quality.

Furthermore, the use of a look-up table in which the weighted probability levels are associated with respective face sizes greatly speeds up the weighting of the probability levels by the detecting means, because the detecting means does not need to calculate a weighted probability level for each face size which is detected.

As discussed during the interview, Snook and Dufaux fail to disclose or reasonably suggest weighted probability levels that correspond with a respective face size stored in a look-up table. Furthermore, Snook and Dufaux fail to disclose or reasonably suggest detecting means for weighting the probability levels based on the correspondence between

each one of the weighted probability levels and the respective face sizes as defined by the look-up table.

Turning to Dufaux, Dufaux computes a “total shot measure” based on five criteria, one of which is face detection.² Further, for each of the weighting criteria in Dufaux, there is a weighting factor which indicates how reliable that particular criteria is.³ Indeed, it appears from the outstanding Office Action that the Office is interpreting the percentage of skin pixels in Dufaux as suggesting a size of a detected face.

However, as discussed during the July 21, 2009 interview, the percentage of skin color pixels in Dufaux is given the lowest weighting factor because percentage of skin pixels is not a reliable measure.⁴ Furthermore, the weight attributed to the percentage of skin pixels is fixed in Dufaux.⁵ Therefore, Dufaux teaches away from the use of a look-up table in which weighted probability levels correspond with respected face sizes.

Accordingly, Dufaux fails to disclose or reasonably suggest detecting means which weights the probability levels based on the association between the weighted probability levels and the respective face sizes as indicated in the look-up table.

Turning to Snook, Snook merely describes the use of thumbnails and key frame thumbnail which maybe selected by a user. In other words, Snook merely relates to a wholly standard media system, as conceded in the Office Action. Indeed, Snook is silent regarding any form of face detection or weighting some of the probability levels depending on the size of the detected face. Further, Snook does not disclose or reasonably suggest the use of a look-up table in which weighted probability levels correspond with respective face sizes.

Applicants respectfully submit that Snook and Dufaux both fail to disclose or suggest “detecting means...for weighting at least some of the detected probability levels depending

² See col. 11, lines 45-50, of Dufaux.

³ See col. 11, line 65 to col. 12, line 13, of Dufaux.

⁴ See col. 12, lines 8-10, of Dufaux.

⁵ See col. 12, lines 8-10, of Dufaux.

on the size of the detected face, each one of the weighted probability levels corresponds with a respective face size stored in a look-up table,” and “the detector means weights the probability levels based on the correspondence between each one of the weighted probability levels and the respective face sizes as defined by the look-up table, such that detected faces closer in size to a preferred representation size are presented to the user for selection thereof as the displayed representation of the candidate video sequence,” as recited in Claim 1.

Therefore, independent Claim 1 (and claims dependent therefrom) is believed to patentably define over Snook and Dufaux.

Claim 21 has been canceled, rendering the rejection under 35 U.S.C. § 112, first paragraph, moot.

Independent Claims 15 and 20, while differing in scope and statutory class from Claim 15, patentably define over Snook and Dufaux for substantially the same reasons as Claim 1. Accordingly, it is respectfully submitted that Snook and Dufaux do not anticipate or render obvious the features of independent Claims 15 and 20. Therefore, independent Claims 15 and 20 and claims dependent therefrom are believed to patentably define over Snook and Dufaux.

With regard to the rejection of Claim 13 as unpatentable over Snook in view of Dufaux and in further view of Trivedi, it is noted that Claim 13 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Trivedi does not cure any of the above-noted deficiencies of Snook and Dufaux. Accordingly, it is respectfully submitted that Claim 13 is patentable over Snook, Dufaux and Trivedi.

Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

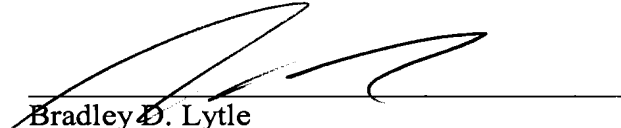
Respectfully submitted,

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